

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN A. PARKER,

Plaintiff,

v.

WARDEN JEFF LYNCH, et al.,

Defendants.

No. 2:22-cv-2015 KJN P

ORDER

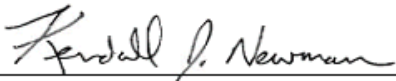
Plaintiff is a state prisoner, proceeding pro se, in an action brought under 42 U.S.C. § 1983. On December 30, 2022, plaintiff filed a two-page document styled, “Order to Show Cause (Temporary Restraining Order) (Preliminary Injunction),” which he signed on December 20, 2022. (ECF No. 16.) It appears that this filing may have been intended to accompany plaintiff’s previously-filed motion because plaintiff includes the same allegations raised therein. (ECF No. 11.) Nevertheless, the filing suffers from the same procedural deficiencies identified in the December 27, 2022 order denying the motion without prejudice. Because plaintiff’s subsequent filing was signed prior to such order, plaintiff did not have benefit of the standards required to move for such injunctive relief.

Importantly, plaintiff has not yet filed an amended complaint, as he elected to do in his December 21, 2022 filing. (ECF No. 12.) Plaintiff was granted an extension of time to do so by the December 27, 2022 order.

1 For all of the above reasons, plaintiff's motion is denied without prejudice to its renewal.

2 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion (ECF No. 16) is denied  
3 without prejudice.

4 Dated: January 6, 2023

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6 KENDALL J. NEWMAN  
7 UNITED STATES MAGISTRATE JUDGE

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